

EXHIBIT 6

1 Allan
2 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

3 SANDRA GUZMAN,)
4)
Plaintiff,)
5)
vs.) 09CIV9323
6) (BSJ(RLE)
NEWS CORPORATION, NYP HOLDINGS,))
7 INC., d/b/a THE NEW YORK POST,)
and COL ALLAN, in his official)
8 and individual capacities,)
9 Defendants.)
-----)

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13 VIDEOTAPED DEPOSITION OF COLIN ALLAN
14 New York, New York
15 Tuesday, February 14, 2012

23 Reported by:
24 Philip Rizzuti
25 JOB NO. 46188

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<p>1 Allan</p> <p>2 Thompson Wigdor for the plaintiff Sandra</p> <p>3 Guzman, with my colleague Paul Clark.</p> <p>4 THE VIDEOGRAPHER: Will the court</p> <p>5 reporter please swear in the witness.</p> <p>6 COLIN ALLAN, called as a witness,</p> <p>7 having been duly sworn by a Notary</p> <p>8 Public, was examined and testified as</p> <p>9 follows:</p> <p>10 EXAMINATION BY</p> <p>11 MR. THOMPSON:</p> <p>12 Q. I am Ken Thompson, I am Sandra</p> <p>13 Guzman's attorney. I also represent Austin</p> <p>14 Fenner and Ikimalisa Livingston in lawsuits</p> <p>15 that they brought against the New York Post</p> <p>16 and News Corp.</p> <p>17 Have you ever had your deposition</p> <p>18 taken before?</p> <p>19 A. One time.</p> <p>20 Q. When was that?</p> <p>21 A. I guess back in 2002 or '3.</p> <p>22 Q. Was that case here in New York?</p> <p>23 A. Yes, sir.</p> <p>24 Q. What type of case?</p> <p>25 A. It was a case of age</p>	<p>1 Allan</p> <p>2 discrimination.</p> <p>3 Q. Who brought that age</p> <p>4 discrimination case?</p> <p>5 A. Gentleman named Sid Simon.</p> <p>6 Q. Were you accused of any wrongdoing</p> <p>7 in that case?</p> <p>8 A. The newspaper was.</p> <p>9 Q. What did that plaintiff allege in</p> <p>10 that particular lawsuit?</p> <p>11 A. He alleged he had been dismissed</p> <p>12 because of his age.</p> <p>13 Q. How old was he at the time of his</p> <p>14 dismissal?</p> <p>15 A. I don't recall.</p> <p>16 Q. What position did he have at the</p> <p>17 New York Post?</p> <p>18 A. He was a part-time columnist.</p> <p>19 Q. So you had your deposition taken</p> <p>20 in that particular matter?</p> <p>21 A. Yes, I did.</p> <p>22 Q. Did that matter end up going to</p> <p>23 court?</p> <p>24 A. No, sir.</p> <p>25 Q. What happened to that case?</p>
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<p>1 Allan</p> <p>2 A. It was settled.</p> <p>3 Q. So I want to go over a couple of</p> <p>4 rules that will cover this deposition. If I</p> <p>5 ask you a question and you don't understand it</p> <p>6 just tell me. I have an obligation to ask it</p> <p>7 again so you do understand it. Okay?</p> <p>8 A. I understand.</p> <p>9 Q. The other important rule to follow</p> <p>10 is both of us have to speak on the record, so</p> <p>11 all your answers have to be verbal. As you</p> <p>12 can see there is a court reporter sitting next</p> <p>13 to you that is creating a deposition</p> <p>14 transcript. Do you understand that?</p> <p>15 A. Yes.</p> <p>16 Q. If there is any reason why you</p> <p>17 want to take a break, stretch your legs or go</p> <p>18 to the restroom just let me know and we will</p> <p>19 take breaks. I would ask that if I am in the</p> <p>20 middle of asking a question or series of</p> <p>21 questions, let me finish and then we can take</p> <p>22 a break?</p> <p>23 A. I understand.</p> <p>24 Q. Is there any reason why you can't</p> <p>25 testify truthfully today?</p>	<p>1 Allan</p> <p>2 A. No.</p> <p>3 Q. Mr. Allan, are you an employee of</p> <p>4 News Corporation?</p> <p>5 A. I am an employee of the New York</p> <p>6 Post.</p> <p>7 Q. Do you know where News Corp.'s</p> <p>8 corporate offices are located?</p> <p>9 A. 1211 Sixth Avenue.</p> <p>10 Q. Here in New York City?</p> <p>11 A. Yes.</p> <p>12 Q. And where is the business and</p> <p>13 editorial offices of the New York Post</p> <p>14 located?</p> <p>15 A. 1211 Sixth Avenue.</p> <p>16 Q. So the corporate offices of News</p> <p>17 Corp. and the editorial and the business</p> <p>18 offices of the New York Post are located in</p> <p>19 the same building here in New York City?</p> <p>20 A. Correct.</p> <p>21 Q. Have they been located in that</p> <p>22 same building throughout your tenure at the</p> <p>23 company?</p> <p>24 A. Yes.</p> <p>25 Q. Does News Corp. occupy any</p>

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<p>1 Allan</p> <p>2 A. I don't know.</p> <p>3 Q. How do you know that he is on the</p> <p>4 board?</p> <p>5 A. I know he is on the board.</p> <p>6 Q. I am asking you what is the basis</p> <p>7 of your knowledge; have you been at board</p> <p>8 meetings?</p> <p>9 A. No.</p> <p>10 Q. So how do you know that he is on</p> <p>11 the board?</p> <p>12 A. I have seen his name on the list</p> <p>13 of members of the board.</p> <p>14 Q. Does James Murdoch have an office</p> <p>15 at 1211 Avenue of the Americas?</p> <p>16 A. I don't know.</p> <p>17 Q. Have you ever spoken to James</p> <p>18 Murdoch in connection with performing your</p> <p>19 duties as Editor-in-Chief of the New York</p> <p>20 Post?</p> <p>21 A. Never.</p> <p>22 Q. You ever communicate with James</p> <p>23 Murdoch about Sandra Guzman at all?</p> <p>24 A. Never.</p> <p>25 Q. About Austin Fenner?</p>	<p>1 Allan</p> <p>2 A. Never.</p> <p>3 Q. About Ikimalisa Livingston?</p> <p>4 A. Never.</p> <p>5 Q. About the monkey cartoon?</p> <p>6 A. Never.</p> <p>7 Q. You ever spoke to Lachlan Murdoch</p> <p>8 about Sandra Guzman?</p> <p>9 A. Yes.</p> <p>10 Q. How many times have you spoken to</p> <p>11 him about Sandra Guzman?</p> <p>12 A. I don't recall.</p> <p>13 Q. What is Lachlan Murdoch's position</p> <p>14 at News Corp.?</p> <p>15 MR. LERNER: Objection.</p> <p>16 A. He is on the Board of Directors.</p> <p>17 Q. Do you recall when you spoke to</p> <p>18 him about Sandra Guzman?</p> <p>19 A. When she was hired.</p> <p>20 Q. Can you describe the substance of</p> <p>21 your conversation with Lachlan Murdoch about</p> <p>22 Sandra Guzman when she was hired?</p> <p>23 A. The first conversation I had with</p> <p>24 Lachlan was Sandra was in the room, that</p> <p>25 was -- he was in the process of hiring her.</p>
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<p>1 Allan</p> <p>2 Q. So Lachlan Murdoch hired Sandra</p> <p>3 Guzman?</p> <p>4 A. Yes, when he was publisher of the</p> <p>5 Post.</p> <p>6 Q. What happened in that meeting with</p> <p>7 you, Lachlan Murdoch and Sandra Guzman?</p> <p>8 A. Lachlan introduced me to Sandra</p> <p>9 and he informed me that he was employing</p> <p>10 Sandra to produce a Latino section for the</p> <p>11 paper.</p> <p>12 Q. Did he say anything else about</p> <p>13 her?</p> <p>14 A. I don't recall.</p> <p>15 Q. Did you speak to Ms. Guzman at the</p> <p>16 time?</p> <p>17 A. I welcomed her.</p> <p>18 Q. Welcomed her to --</p> <p>19 A. The Post.</p> <p>20 Q. So she had already been hired?</p> <p>21 A. Yes.</p> <p>22 Q. You had nothing to do with her</p> <p>23 hiring; correct?</p> <p>24 A. No, sir.</p> <p>25 Q. You had nothing to do with the</p>	<p>1 Allan</p> <p>2 idea to create a Latino section?</p> <p>3 A. No, sir.</p> <p>4 Q. Was anyone else in that meeting?</p> <p>5 A. Geoff Booth I think.</p> <p>6 Q. Who is Geoff Booth?</p> <p>7 A. He was the general manager.</p> <p>8 Q. Of the New York Post?</p> <p>9 A. Yes.</p> <p>10 Q. Is he still at the company?</p> <p>11 MR. LERNER: Objection. Form.</p> <p>12 A. No.</p> <p>13 Q. Is he at -- strike that.</p> <p>14 Is he an executive of News Corp.?</p> <p>15 A. No.</p> <p>16 Q. Other than speaking to Lachlan</p> <p>17 Murdoch about Sandra Guzman in that meeting</p> <p>18 did you ever speak with him again about Ms.</p> <p>19 Guzman on any occasion?</p> <p>20 A. I am sure I did, but I don't</p> <p>21 recall.</p> <p>22 Q. You can't recall any other</p> <p>23 substantive conversations that you had with</p> <p>24 Lachlan Murdoch regarding Sandra Guzman?</p> <p>25 A. I can't.</p>

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<p>1 Allan</p> <p>2 you said in the meeting with Joe Rabinowitz,</p> <p>3 Paul Carlucci and Jennifer Jehn regarding</p> <p>4 Ms. Guzman's 2009 employee evaluation?</p> <p>5 A. No.</p> <p>6 Q. Did you ever speak to Paul</p> <p>7 Carlucci on any other occasion about Sandra</p> <p>8 Guzman?</p> <p>9 A. Yes. Insofar as the decision to</p> <p>10 close Tempo was fundamentally made at the</p> <p>11 Executive Committee.</p> <p>12 Q. What did you say to Paul Carlucci</p> <p>13 about Sandra Guzman when you talked about</p> <p>14 closing Tempo?</p> <p>15 A. Nothing, I listened.</p> <p>16 Q. Did anyone mention Sandra Guzman</p> <p>17 in that meeting?</p> <p>18 A. I don't recall.</p> <p>19 Q. Well let me make it clear, make</p> <p>20 sure the record is clear. The meeting that</p> <p>21 you were in with Paul Carlucci, Amy Scialdone</p> <p>22 and Jennifer Jehn and Joe Rabinowitz was a</p> <p>23 meeting where her performance was being</p> <p>24 evaluated; correct?</p> <p>25 A. Yes.</p>	<p>1 Allan</p> <p>2 Q. Was there a separate meeting that</p> <p>3 you had where Paul Carlucci was present where</p> <p>4 you also discussed Sandra Guzman?</p> <p>5 A. Yes.</p> <p>6 Q. Who was in that meeting?</p> <p>7 A. I believe Jennifer Jehn and/or Amy</p> <p>8 Scialdone.</p> <p>9 Q. Anyone else?</p> <p>10 A. I don't recall.</p> <p>11 Q. Was Paul Carlucci in that meeting?</p> <p>12 A. Yes.</p> <p>13 Q. Who mentioned Sandra Guzman in</p> <p>14 that meeting?</p> <p>15 A. Either Paul or Jennifer.</p> <p>16 Q. What did either Paul or Jennifer</p> <p>17 say about Ms. Guzman in the meeting?</p> <p>18 A. Paul said that he had made the</p> <p>19 decision to close Tempo, and that this meant</p> <p>20 that Sandra Guzman would be terminated.</p> <p>21 Q. Did he say anything else?</p> <p>22 A. I don't recall.</p> <p>23 Q. So who made the decision to</p> <p>24 terminate Ms. Guzman?</p> <p>25 A. Paul Carlucci.</p>
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<p>1 Allan</p> <p>2 Q. Why was she terminated?</p> <p>3 A. The section was closed.</p> <p>4 Q. Do you recall speaking to Paul</p> <p>5 Carlucci on any other occasion about Sandra</p> <p>6 Guzman?</p> <p>7 A. No.</p> <p>8 Q. Did you have any role in the</p> <p>9 decision to terminate Ms. Guzman?</p> <p>10 A. No.</p> <p>11 Q. I am showing you now what has been</p> <p>12 marked as Allan Deposition Exhibit number 4.</p> <p>13 (Allan Exhibit 4, Defendant News</p> <p>14 Corporation's Objections and Responses</p> <p>15 to Plaintiffs First Set of</p> <p>16 Interrogatories, marked for</p> <p>17 identification, as of this date.)</p> <p>18 Q. I want to direct your attention to</p> <p>19 page 15, and specifically to interrogatory</p> <p>20 number 19.</p> <p>21 A. Page 15?</p> <p>22 Q. Yes. You see at the top</p> <p>23 interrogatory number 19?</p> <p>24 A. Yes.</p> <p>25 Q. That interrogatory -- first of all</p>	<p>1 Allan</p> <p>2 for the record if you turn to the first page</p> <p>3 of Allan Deposition Exhibit 4, it is entitled</p> <p>4 Defendant News Corporation's Objections and</p> <p>5 Responses to Plaintiffs First Set of</p> <p>6 Interrogatories. If you go to interrogatory</p> <p>7 number 19 it says: Identify each member of</p> <p>8 the Board of Directors of Defendants News</p> <p>9 Corporation, Post. And objection and</p> <p>10 responses stated, it says: Defendants states</p> <p>11 that Jose Maria Aznar, Natalie Bancroft, Peter</p> <p>12 Barnes, Chase Carey, Kenneth Cowley, David</p> <p>13 Devoe, Viet Dinh, Roderick Eddington, Mark</p> <p>14 Hurd, James Rupert Murdoch, Andrew S.B.</p> <p>15 Knight, Keith Rupert Murdoch, Lachlan Murdoch,</p> <p>16 Thomas J. Perkins, Arthur M. Siskind and John</p> <p>17 L. Thornton comprise the Board of Directors of</p> <p>18 Defendant News Corp.</p> <p>19 Do you see that, sir?</p> <p>20 MR. LIPPNER: Objection.</p> <p>21 A. Yes.</p> <p>22 Q. Who is David Devoe, Mr. Allan?</p> <p>23 A. He is the CFO of News Corp.</p> <p>24 Q. Now I am showing you what has been</p> <p>25 marked as Allan Deposition Exhibit 5, and it</p>

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<p>1 Allan</p> <p>2 sir?</p> <p>3 A. I don't recall.</p> <p>4 Q. Was she allowed to go to cover</p> <p>5 that ceremony for the New York Post?</p> <p>6 A. No.</p> <p>7 Q. Why not?</p> <p>8 A. Because she had told us that she</p> <p>9 was a friend of Justice Soto Mayor and</p> <p>10 therefore I felt that she had been conflicted.</p> <p>11 Q. Conflict?</p> <p>12 A. Yes. We don't assign people to</p> <p>13 cover people on the basis of friendships.</p> <p>14 Q. When Kevin Rudd ran for Prime</p> <p>15 Minister of Australia did you cover him in the</p> <p>16 New York Post?</p> <p>17 A. No.</p> <p>18 Q. Is it your testimony that there</p> <p>19 was not a single article written in the New</p> <p>20 York Post -- can I finish -- about the fact</p> <p>21 that Kevin Rudd was running for Prime Minister</p> <p>22 of Australia?</p> <p>23 A. I don't recall it.</p> <p>24 Q. Do you recall if there was ever an</p> <p>25 article in the New York Post about Kevin Rudd?</p>	<p>1 Allan</p> <p>2 A. I don't recall.</p> <p>3 Q. Would it have been inappropriate</p> <p>4 for an article to have been published about</p> <p>5 Kevin Rudd in the New York Post based on your</p> <p>6 relationship with him?</p> <p>7 A. I didn't have a relationship with</p> <p>8 him.</p> <p>9 MR. LERNER: Objection.</p> <p>10 Q. He was a friend of yours; correct?</p> <p>11 A. No. I never testified that he was</p> <p>12 a friend. I knew him for one day.</p> <p>13 Q. Now Ms. Guzman was terminated in a</p> <p>14 meeting with Joe Rabinowitz and someone from</p> <p>15 HR; correct?</p> <p>16 A. I don't know.</p> <p>17 Q. Let me ask you, do you know who</p> <p>18 conveyed to Ms. Guzman that she was being</p> <p>19 terminated as an associate editor at the Post?</p> <p>20 A. Jennifer Jehn.</p> <p>21 Q. How do you know that Jennifer Jehn</p> <p>22 conveyed that to her?</p> <p>23 A. She is the head of HR.</p> <p>24 Q. Other than the fact that she is</p> <p>25 the head of HR do you know if Jennifer Jehn</p>
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<p>1 Allan</p> <p>2 actually met with Ms. Guzman in connection</p> <p>3 with the termination?</p> <p>4 A. That is my recollection.</p> <p>5 Q. Mr. Allan, I am now showing you</p> <p>6 Allan Deposition Exhibit 21, which is Bates</p> <p>7 stamped NYP 3892, I ask you to take a moment</p> <p>8 to look at that document.</p> <p>9 (Allan Exhibit 21, Bates stamped</p> <p>10 NYP 3892, marked for identification,</p> <p>11 as of this date.)</p> <p>12 A. Yes.</p> <p>13 Q. Do you recognize this document</p> <p>14 sir?</p> <p>15 A. Yes.</p> <p>16 Q. What is it?</p> <p>17 A. An open jobs report.</p> <p>18 Q. What is an open jobs report?</p> <p>19 A. Jobs that are vacant at the</p> <p>20 newspaper.</p> <p>21 Q. This one is dated October 12,</p> <p>22 2009; correct?</p> <p>23 A. Yes.</p> <p>24 Q. So this is dated weeks after Ms.</p> <p>25 Guzman was terminated; correct?</p>	<p>1 Allan</p> <p>2 A. Yes.</p> <p>3 Q. Do you see it states open,</p> <p>4 Haberman, Z, associate metro editor?</p> <p>5 A. Yes.</p> <p>6 Q. So when Ms. Guzman was terminated</p> <p>7 there was an open associate editor position at</p> <p>8 the paper; is that correct?</p> <p>9 A. Correct.</p> <p>10 Q. Was any discussion Mr. Allan about</p> <p>11 possibly allowing Ms. Guzman to remain</p> <p>12 employed at the company after Tempo was</p> <p>13 closed?</p> <p>14 A. Yes. I asked three editors if</p> <p>15 there was a position in their departments or</p> <p>16 anywhere at the paper that Ms. Guzman might</p> <p>17 fill at her compensation.</p> <p>18 Q. Who were those three editors?</p> <p>19 A. Michelle Gotthelf, Jesse Angelo</p> <p>20 and Catherine Pushkar.</p> <p>21 Q. Who is Catherine Pushkar?</p> <p>22 A. She was a features editor.</p> <p>23 Q. Did you meet with those three</p> <p>24 editors together or individually when you</p> <p>25 inquired as to whether there was another</p>

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<p>1 Allan</p> <p>2 position for Ms. Guzman?</p> <p>3 MR. LIPPNER: Objection.</p> <p>4 A. Independent.</p> <p>5 Q. Did you take any notes?</p> <p>6 A. No.</p> <p>7 Q. Where did those meetings take</p> <p>8 place?</p> <p>9 A. I don't recall.</p> <p>10 Q. Was anyone else present besides</p> <p>11 you and each of those editors?</p> <p>12 A. No.</p> <p>13 Q. What is the metro desk at the</p> <p>14 Post?</p> <p>15 A. Metro desk is the city desk, it is</p> <p>16 responsible for the reporters who cover the</p> <p>17 city.</p> <p>18 Q. Heart of the paper; correct?</p> <p>19 A. Yes.</p> <p>20 Q. Why wouldn't Ms. Guzman be allowed</p> <p>21 to take that open position when Zach Haberman</p> <p>22 left the paper?</p> <p>23 A. Her compensation was \$135,000 a</p> <p>24 year, this job is open at \$82,000 a year.</p> <p>25 Q. Mr. Allan, I understand that there</p>	<p>1 Allan</p> <p>2 was a difference between the salary, but why</p> <p>3 didn't you at least offer it to Ms. Guzman</p> <p>4 before she was fired?</p> <p>5 A. It is my view that an employee who</p> <p>6 had been forced to take a very large pay cut</p> <p>7 in the order of \$55,000 or \$50,000, would not</p> <p>8 be a happy employee.</p> <p>9 Q. Is it your position that that</p> <p>10 employee would be happier losing \$137,000 as</p> <p>11 opposed to 50,000?</p> <p>12 MR. LERNER: Objection.</p> <p>13 A. I made that decision in the</p> <p>14 interest of the newspaper. I didn't believe</p> <p>15 it was appropriate or right to offer her a job</p> <p>16 that would have caused her such a significant</p> <p>17 pay cut.</p> <p>18 Q. Did you think it was more</p> <p>19 appropriate to fire her, she would have no</p> <p>20 job?</p> <p>21 A. She was hired to produce Tempo,</p> <p>22 Tempo had ceased to exist.</p> <p>23 Q. But she worked on 25 other</p> <p>24 sections --</p> <p>25 MR. LIPPNER: Were you done with</p>
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<p>1 Allan</p> <p>2 your answer?</p> <p>3 THE WITNESS: Yes.</p> <p>4 Q. She was working on 25 other</p> <p>5 sections of the paper at the time the Tempo</p> <p>6 was closed; is that correct?</p> <p>7 MR. LERNER: Objection. That is a</p> <p>8 fact not in evidence.</p> <p>9 Q. Correct?</p> <p>10 A. Sorry?</p> <p>11 Q. Isn't it a fact that Ms. Guzman</p> <p>12 was working on 25 other sections of the paper</p> <p>13 at the time she was terminated?</p> <p>14 MR. LERNER: Objection.</p> <p>15 A. She was working on other sections.</p> <p>16 Q. How many other sections?</p> <p>17 A. I don't know.</p> <p>18 Q. So she wasn't only working on</p> <p>19 Tempo; correct?</p> <p>20 A. I asked that she be offered work</p> <p>21 on other sections of the newspaper because</p> <p>22 Tempo had become so emaciated that it was no</p> <p>23 longer occupying much of her time. I mean it</p> <p>24 was coming out once a month and it was tiny,</p> <p>25 it was small.</p>	<p>1 Allan</p> <p>2 Q. Isn't it true that you never once</p> <p>3 considered offering Ms. Guzman that open</p> <p>4 position that became vacant after Zach</p> <p>5 Haberman left the paper?</p> <p>6 A. I considered it and I decided not</p> <p>7 to do it.</p> <p>8 Q. Mr. Allan, could you put the</p> <p>9 Deposition Exhibit 4 in front of you?</p> <p>10 A. Exhibit 4.</p> <p>11 Q. It should be there?</p> <p>12 A. Sorry.</p> <p>13 Q. It is number 5 -- look at this</p> <p>14 one?</p> <p>15 A. Yes.</p> <p>16 Q. I want to direct your attention to</p> <p>17 page 7 of that document?</p> <p>18 MR. LERNER: What exhibit number?</p> <p>19 MR. THOMPSON: 5.</p> <p>20 Q. Do you see where it says</p> <p>21 interrogatory number 8?</p> <p>22 A. Yes.</p> <p>23 Q. Do you see there is a list of</p> <p>24 names there and in response to that</p> <p>25 interrogatory, Bill Hoffman, Zach Haberman,</p>